Boroughly as the most experienced mountain guide. The employment of a great part of their young o in berding cattle has made them acquainted gith every little streem and kanyon, and mured t' com to the saddie. It is these young men, and the e almost colely, who constitute the element of the Mormon military force from which there is de per to be anpreherded. They possess the abil' Ay, if they have the will, to corry on an annoying guerrilla warfare, sweeping down from mountain passes upon single travelers and unprotected trains.

I am unable to make an estimate of the amount of stores destroyed by them in their foray of October 5. The original amount intended for the Utah expedition was rn eight months' supply for 2,500 men, and each train was assigned a proportion of all the articles to be transported, including even ordnance stores. Whether different arrangements were made when it was thought necessary to leave the 2d Dragoons with Gov. Walker in Kenasa, I am not aware. At any rate, it is the general impression that the less of so great a quantity of provisions as the 72 wagons must have contained, would necessitate a movement toward Sa't Lake Valley, were not such a movement on other accounts consequence of the r destruction. The season will forbid the transmission of any further supplies or proops from the East than are now already far on Meir way. Whether Col. Sumner's command has returned from its pursuit of the Caeyennes to the Arkansas; whether Col. Cook is marching his dragoons toward us to fill out so far as is new possible the original programme of the army of Utah, which was disturbed by Gov. Walker's schemes in Kuneas; or whether Gen Harney, Col. Johnson, Gov. Cumming, or any of the new territorial officials are on their way west, we are not informed; for the most recent advices we have received from the Bast extend no later than to September 1. Ignorant as we are of what may have occurred there during the last forty days, it is impossible for us to ax the responsibility for the delay, so accurately as yourselves, upon those on whom it belongs; but some one is certainly to blame for the fact that of the 2,500 men originally destined to the expedition, bordly 1,400 are now available, and for the other fact that of all the newly-appointed territorial efficials, only one, to my knowledge (Chief Justice Echele), is anywhere near his post of duty. Mr. Morrell, the Postmuster of Salt Lake City, who was appointed by President Pierce last year, but whose commission was stolen from the mad, is also an exception. He is encamped near the South Pass, and will place his wagons under Col. Smith's protection to morrow. This news, of the actual rising of the Mormons

in arms, cannot surprise you more than it does these on the scene of action. The presence of Dr. Bernhirel with Captain Van Vliet, on his journey to the States, seemed of itself an officet to all the threatening messages of which the latter was the bearer. It seemed incredible that the Mormons should have the assurance to send a delegate to Washington to uphold them in Congress, when they were in actual armed rebellion. That they have been excited to a fo cible outbreak only by the grossest misrepresentations, I cannot doubt. As an instance of these, I may specify one which is by no means the most absurd. When the general orders from the headquarters of the army for Utah for the establishment of three new posts in the Territory reached Salt Lake City, the circumstance that they were to be "double ration posts" excited the utmost indignation. Supposing that it meant all the garrisons as well as the commanding officers were to draw double rations, laughable as it may appear, is a fact that they believed that the extra ration was to be furnished to each soldier, to enable him to marry and support a wife, whom, of course, he would seduce from among them. Capt. Van Vliet found this illusion universally prevalent.

In consideration of the journey of Dr. Bernhisel to Washington, while affairs are in such a condi-tion among his constituency, I feel bound to send you the following information concerning the mode of his election, for the accuracy of which I do not wouch, for it is not of my personal knowledge, but for which I send you privately my authority. It has been stated to me that on the Sunday before the day fixed by law for the election, Brigham Young rose in the Bowery, where an audience of several thousands was collected, and spoke substantially to this effect:

"Brethren, to-morrow, you know, is the day to vote for Delegate to Congress, so the law says. But I don't ree why to-day isn't just as holy, and why we shouldn't take a vote to-day. E-other Berahisel, brethren, has done well enough in Congress, though mobedy's of much use there, and if it's worth while to send anybody to Washington, I guess we might as well send him back; if he can't do us any good, he won't do us any harm. So all you that are in favor of conding Brother Bernhisel back, will please rise."

Ascordingly flow whole sudjence rose. The next Accordingly the whole audience rose. The next

day, at the election, but few votes were cast, and those all for Dr. Bernhisel, it being felt to be useless to oppose him, although he is said to be very unpopular in Salt Lake City. If I do Dr. Bernbisel any wrong by this narration, I am sure you will De willing to correct anything which he shall prove to be inaccurate.

As another item, which I have neglected to insert its proper connection, it is reported that the mons have taken prisoners two men belonging to Dr. Magraw's party, who were sent on business ward Salt Lake City.

From The Leavenstorth Times, Nov. 7. STARTLING NEWS FROM THE PLAINS! THREE TRAINS, CONSISTING OF SEVENTY-FIVE WAGONS, CONTAINING GOVERNMENT STORES FOR SALT LAKE CITY, DESTROYED BY THE

MORMONS. We have late intelligence by express, sent Mesers.

We have late intelligence by express, sent Mesers. Russell & Waddell, that three of their trains, consisting of seventy-five wagons, in charge of Dawson, simpson and Barrett, containing Government stores for the array, en route for Sait Lake City, were captured and burned by the Mormons at Hands Forks of Green River on the 10th of October. Five wagons and sufficient rations to reach Fort Laramie were allowed the drivers and those connected with the chains, and ten minutes given them to leave.

They have burnt all the Government stores, but did not offer to burt any of those connected with the trains, saying they did not wish to spill blood, unless one of the saints should be killed, and then they would annihilate the whole United States army.

They have burnt off all the grass for a distance of two hundred miles around Sait Lake City, for the purpose of starving the stock with the Government trains.

Jose Jones, one of Russell & Waddell's agents, had gone to Fort Bridger for supplies; he was detained there as a prisoner, and is supposed to have been hilled, as it is known that he was well acquainted with all the roads and mountain passes leading into the city.

How facts like these show the folly of our Govern-

How facts like these show the folly of our Govern-How lacts like these show the folly of our Govern-ment! Had the troops at Fort Leavenworth, under Gen. Harney, been pushed on early in the Spring in-stead of being forced to play a political part in Kac-se, Utah might have been awed into submission, without the sacrifice of life and property. Now we may look for both—and a long and bloody fight besides.

P. S.—We have unofficial intelligence that the advanced trains consisting of 350 wagons are with the troops, and are safe!

[By Telegraph.]

THE MORMON ATTACK ON THE TRAINS. WASHINGTON, Saturday, Nov. 14, 1857. Directches correborative of Judge Eckels were pecived this afternoon. They say the Mormons have on Green River, and one on Big Sandy-the center trains, consisting in all of seventy eight wagers. There was a council among the officers as dit was determined after hearing the opinions of all the guides, is relative o the country, to go around by S. da Springs, where lie road forks for Oregon and California, and enter the Sa't Lake valley through an extensive val ey, where the encw will not be an impediment. This determine tion, the expressman says, was approved of by Colonel Johnston, who told him to say to everybody "that be interded to winter in the valley or not at all."

The Mormons are congregated in large numbers wen on the side of the mountain, burning the grass, and are determined, it seems, to prevent the entrance of the troops into the valley anyhow. They are reguarly enrolled in thousands, and if Col. Johnston enters he valley he can set only on the defensive with his handful of men.

The War Department is expecting despatches from Col. Johnston himself, sent through Gen. Scott, at headquarters. Should these not arrive here to-morrow or by Monday morning, the whole report will be diseredited by the Department. Cel. Johnston certainly never permitted an express to come back without sending official dispatches by him.

IMPORTANT NEWS FROM KANSAS. THE PRO-SLAVERY CONSTITUTION FINISHED NO SUBMISSION TO THE PEOPLE. SHAM SUBMISSION OF SLAVERY CLAUSE ALONE.

COV. WALKER VIRTUALLY DEPOSED A REGENCY ESTABLISHED.

THE PEOPLE INCLINED TO RESISTANCE

Dispatches from Our Special Correspondent. SUGAR-COATING THE PILL.

LECOMPTON, K. T , Nov. 4, 1857. Having been engaged so far in preparing this slave Constitution, in all its needful proportions, the question recurs on throwing into it some inducement that may be supposed to reconcile the people to it. We have heard much of corruption funds in Kaness to affect the individual. Many suppose that a whole community can no more be bribed than indicted. In order to show the fallacy of such an opinion, this Convention has this forenoon been engaged in trying to bribe the people of Kaneas to accept their work.

Hints of this were freely given by Gov. Walker last Summer, when he endesvored to decoy the Free State men of some note into the policy of voting at this Constitutional election. Congress would give rich donations of lands. There must be in the Constitution some express provision, by the acceptance of which Congress would obligate the General Government to convey to much of the lands in Kassas to the State, for the purposes of schools, colleges and railroads. In this respect, the Pro-Slavery, bogus Constitution would be far superior Topeka Constitution, which instrument was defective in not possessing such compulsory fauses, and which was reduced to the necessity of trusting to mere donations from the Federal Government.

To-day, this magnificent scheme came up, by which Kansas was to be enriched and this Constitu-tion put in a cituation which would render it invincible with all lovers of filthy lucre, of whom this Con-vention, and the still shrewder heads from whom they borrowed this policy, supposed there must be a working majority. The Constitution might thus be rendered acceptable to the selfish interest—always a arge one, by the by, whether it was submitted or

The Committee on Internal Improvement reported a special ordinance, to which it is designed to make the Government of the United States a party. Its substance was as follows, when adopted by this Con-

vention:
"First, there is a preamble which sets forth that the United vention:

"First, there is a preamble which sets forth that the United States is preprietor of the public lands to be embraced by the States is preprietor of the public lands to be embraced by the State of Kames, that the State aforesaid, when admitted and organized as a State, has a right to tax said lands; that by the terms of this ordinance the people of Kames propose to the General Government to redinquesh their right to tax the Government lands in consideration of the following greats:

First: That Congress shall donate sections 3, 16, 24 and 35 in each Congress that township for school purposes.

Second: That Congress shall donate to the State all sait springs, gold, sliver, tend and copper mines, together with necessary lands to work the same.

Third: That 5 per cent of the proceeds of all lands cold before Nov. 1, 1837, be transferred to the Treasurer of the State of Kamess; that 3 of the 5 per cent be used for radioad purposes; to be aspended for the bunefit of the State by the Legislature Foilth. That two Congressional townships be damated for the purpose of founding a State University.

Fifth: That two grees should donate each alternate section in a distance of twelve miles cash side of the road, for the purpose of constructing two railroads, one to begin at the nortnern bour davy of the State and run toward the Gulf of Mexico, the bour davy of the State and run toward the Gulf of Mexico, the

in a distance of twelve miles each side of the road, for the purpose of constructing two railroads, one to begin at the nortnern bour dary of the Sate and run toward the Gulf of Mexico, the other beginning at the Missouri river and roaming west to the western boundary of Kanisas. Such is the sam of the proposal to the General Government as embraced in this ordinance. Now, it will be seen, by those conversant with the geography of Kanisas, that this mode of determining the prints of termination of the road will operate to the prejudice of the southern part of Kanisas. An

effort has been made to have a continuation of the Pacific Railroad from Bates County, Mo., through Southern Kansas, by Hyatt and Emporia-at all events, that the road in question be brought direct from Jefferson City toward the central part of Kansas, instead of bending round by the relative Without expressing any opinion as to the relative of their instead of bending round by Kansus City. merits of these routes, or the probabilities of their construction, it would, at least, have been better had this Convention not so fixed the points as to afford just ground for complaint that they had yielded to special rather than general interests, and again made his Constitution a machine for partial legislation.
On the debate which ensued, the President of the

Convention, on a motion to strike out "Santa Fe," which occurred in the report instead of the western soundary of the Territory, said that it was only in making general provisions for general interests that they could hope to succeed. That anything else would defeat the objects of this ordinance. "Santa Fé" was stricken out, but the motion to make the termini of the main road the "eastern boundary of Kan-sas" instead of the "Missouri River, a subject which involved precisely the same issue, the latter amendment was voted cown.

On this subject, Mr. McKown, the gentleman from Westport, said, in behalf of his constituency, that a proposal was made by a Boston Company to carry the Pacific Railroad south of Kansas City 20 miles, so as to mejudice the interests of a part of Missour near Kamas City and Westport.

A motion was made in the afternoon to reconsider the vote, so as to change the sectional character of the report, but it was voted down.

THE GREAT SWINDLE.

LECOMPTON, Nov. 4, 1857.

The schedule has just been reported. There are two reports. The minority report legalizes all actions of the past Territorial Legislature. Those laws established Slavery. This scholule, as part of the Constitution, establishes those laws. It leg slizes all the acts of the bogue officers. It saddles upon the State, by its explicit terms, all the debts, frauds, violence, or other would-be legal actions, as a settled part of the organic law of the State. In these respects, both reports agree. The majority report proposes to submit the Slavery clause (I sent it a week ago to THE TRIBUNE) as a separate article. The Constitution itself is not to be submitted. Neither report provides for this. At an election, to be held on the 21st of December, this article the so-called Slavery article-is to be submitted to vote of all the male residents over the age of 21 in the Territory. There is to be no restriction.

Whether that Slavery article be voted down or not, the Constitution is to be declared ratified by that election, and to be sent to Washington as the Constitution of the State of Kansas.

From the adjournment of this Convention, Gov.

Walker is virtually deposed. A Regency is created.

John Calhoun is virtual Governor of Kames. He
is more. He has imperial power. At this humbag spaced this afternoon. They say the Mormons have election, at which the Slavery article is to be voted spaced the ball by burning three supply trains—two for, and at the State election for State officers

(nbether it is at the rame at me or not), he is to appear the judges of ele Alors and declare where voting shall be held. He is to reserve returns. He, with two members of this Convention, is to count be votes and decide what the returns show. Ho is to brue certificates to the State Governor and other officers elected. This Regent is to be the dictator in the interrigoum. The Territorial laws are the law, and be in really the ruler from the 21st of December until the State Legislature convenes. Tast Legislature he is to convene by proclamation. The Territorial Government is dead after the 21st of December, and the Territorial Legislature is declared to be null and void after the members of this

Convention sign the Constitution.

The Slave Report which is to be submitted has merely reference to a virtual prohibition of emancipation. The Constitution itself does not prohibit slavery. This part of the Constitution expressly makes the Territorial laws a part of the Constitution, and and these laws establish Slavery. In all the bill of rights, the Rights of Man are not once mentioned. tioned. The only rights are those of "freemen." Not even does the word "White" designate who are freemen. Slavery exists, and will exist, under this Constitution, and the Constitution can only be changed after the lapse of years, by a two-thirds vete, first of both branches of the Legislature, and then two-thirds of the people. The pretended elec-tion for submission is the most barwineed fawindle.

It is a miserable mockery—a farce.

After both reports were read and submitted, there was a bill in the Convention. The only difference in the minority report was, that it more honestly made no pretense of election. It simply proposed to send up the Constitution to Congress for ratification. These reports, as the President of the Con vention remarked, "are substantially the same."
The submission feature is the veriest humbug. President Calhoun admitted that the election on the 21st of December is merely a political dodge to

To-norrow will be consumed in idle and vapid discussion. There is really nothing to discuss. Everybody knows how the matter will end. It is settled that the majority report shall be adopted. The debate will merely be for outside effect. It will be a bogus debate, to gull the country into the

belief that there are two propositions.

When the two reports were submitted. President Calhoun said, that in the two, majority and minority, lay the gist of the whole matter that has caded this Convention together. In this lay all the difficulty of the convention together. culties that divided Kansas. There was little difference between the two reports. Only this, the ma ority report provided for a submission to the people on the question, and the minority did not. This was a subject of the utmost importance. It was not whether Freedom or Slavery should exist here, but whether the State Rights party that now ruled this nation should continue to rule this nation, or the Black Republican party should triumph, the party that would prevent the introduction of Slavery into the States or Territories? This was really the question. All the other reports could have been framed by a man in twenty-four hours. This was the real question. On this, we were approaching a crisis for the exist-ence of a Constitutional party for this Union. That was the question, and they must approach it gravely. He moved that the Convention adjourn; that both reports be printed, and that to-morrow be set spart for this discussion. His motion was

REPORT OF THE MINORITY COMMITTEE ON SCHEDULE SECTION 1 That no inconvenience may arise from the change from a Territorial to a permanent State Government, it is de-clared by this Convention that all rights, suite, actions, prosecu-tions, claims and contracts, both as it respects individuals and corporations [accept the tid succeptanting banks by the last Territorial Legislating, which is hearby declared until mad what], shall continue as if no change had taken place in this Govern-ment.

Sec. 2. All fines, penalties and forfeitures due the Territory of Kansas, shall enue to the use of the State created by this Constitution. All bonds executed to the Governor or any other officer in his official apparity in this Territory, shall pass over to the Governor and the officers of the State and their succession of the first or the said State and their succession of the first of the said State and their succession of the control of the said State and their succession of the said State and their succession of the said State and their successions of the

the Sovernor and the officers of the said State and their successors in other, for the use of the State, by thin or by them to be respectively assigned over to the use of those concerned, as the case may be.

1810. The Governor, Judges and all other officers under the Territorial Government shall continue in the caserose of the daties of their respective departments until the said officers are superseded under the authority of the Constitution, by the election and qualification of their successors.

1810. A Alliawa now in force in this Territory which are not inconsistent with this Constitution, shall continue and remain in full effect until a tered or repealed by the State Legislature 1810. Every male inhabitant who is a citaten of the United States, at the time of the first election, and is above the age of twenty-one year; shall be decread in electer at the first election to be holden in this State and any elector qualified as aforesaid shall be crititled to be succeed to any office or place under this State Constitution at such election; anything is this Goustinion to the containty netwithstanding.

1810. The President of this Convention shall Issue writs of election to three householders in the several counties requiring them to cause in election to be held for Overnor, Lieutenant Governor, Representative to Congress of the United States, numbers of the State Legislature, and all other officers, elective under this Constitution, in their respective counties, districts and places of slection, on the first Monday and day following o January, in the year 1858, which election shall in all other respective offices until their successors are elected and qualific in State of the United States, marken of section, on the direction shall in all other respective offices until their successors are elected and qualific enter upon ard continue in the discharge of the duties of their respective offices until their successors are elected and qualific enter upon are dentilined in the state of Kanasa as one of the soverer i

ritary or state of Kaness, until the Legislature of the State may otherwise direct.

Suc. 16 That after the year 1954, whenever the Legislature shall think it necessary to amend, after and change this Constitution, they shall recommend to the electors, at the next general election, two thinds of the members of each House conjuring, to vote for or annotas calling a Convention and if it appear that a majority of all the citizens of the State new voted for a Convention, the Legislature shall at its next regular session call a Convention, to consist of as many members as there may be in the House of Representatives at the time, to be chosen in the same namenr, at the same places, and by the same seasons that shows the Representatives. Said delegates so dicted shall meet within three months after said election, for the purpose of revising, amending or changing the Constitution. But no alters the right of made to affect the ignit of property in the ownership of siaves.

B. LATTLE.

D. VANDERSLICE, Committee.

The majority report, not yet printed, differs in the fact that there is a proposition for submitting the section of the Constitution these men have framed, called the slave report, on the 21st December. It makes the powers of the Territorial officers terminate at that time. It is more explicit in incorpe-rating the provisions of Territorial law in the Con-stitution. Its other features are the same.

portions of this Constitution, which have reached us from another source. The clause on Slavery THE TRIBURE first published a week ago.

DECLARATION OF RIGHTS. That the general, great and essential principle of liberty and free government may be recognized and

That in general, great and comman principles and established, we declare:
First That all freemen, when they form a social compact are equal in rights, and that no man or set of men are entitled to exchange, separate public anothers are entitled to exchange, separate public anothers in the people, and all free povernments, are founded on their subscript, and instituted for their benefit, and, therefore, they have at all sines an institute of their benefit, and therefore, they have at all sines an institution of powerment in such manner as they may think proper aligned. That all persons have a natural and indefeasible right to worthly Abulghty God according to the dictates of their own consciences, and the persons have a natural and indefeasible right to worthly Abulghty God according to the dictates of their own consciences, and the person have a of workin, or maint in any ministry, against his consent. That the matter of conscience, and that no preference shall ever be given to any religious establishment or mode of worthly.

Fauth: That the civil rights, privileges or cassetties of a clinic no high the condition of their religion.

Fifth: That all elections shall be free and equal.

Statis: That the right of trial by Jury shall remain invitoiable.

Statis: That the inhetes, being responsible for the abuse of that therry.

Espatis: The people shall be secure in their persons, hooses,

his screen can be all subjects, being responsible for the source of that therty.

Eight's The people shall be secure in their persons, hooses, begins and possessions from the casonable enteres or searches, and he warrant to search any plane, or to seize any person of bling, shall issue without describing them as meanly as may be, at without probable course supported by oath or allieration.

Assist In all crimical prosecutions toe necessed has a right to be are the heavily by himself and counsel, to demand the nature and cause of the necession, and have a copy thereof, to be confronted by the witness against him; to have compulsary press for braining witness in his favor, and in all presentations by indictinguises or information, as speedy public trial by an isopatial any of the county or distinct in which the offices shall have been committed; I e shall not be competied to give evidence against himself, nor shall be be deprived of his nic, liberty or property but by due course of law.

Tenta That no freeman stall be taken, or to prisoned at dies evid of his first behindered as present, but by the progress of above or the inw of the land.

Eight That he person whill for the some affects be put in

Alerenth: That no person well for the same affects be put in second of life, limb or liberty; nor shall any person's property

to taken or applied to the public ore union just compensation

he taken de sypt of the pablic are manne just compensation in the latter for.

Tenef(th: Tast off pupities shall be runchable, and proportion to the nature of the offence.

The tenth: Bu person shall be held to mewor a capital or otherwise infamous crime unless on the presentment of a Grand Jury, or by imperciament, except in cases of rebellion, mauricetien or invasion.

Fourteenth: That no conviction shall work a corruption of blood or a forther or extate.

Pittenth: That all prisoners shall be battable by sufficient securities, unless in capital offences, when the proof is evident or the presumption peak, and the privilege of the writ of Ankens copy as shall not be suspended unless when in case of rebellion or in vasion the public safety may require it.

Nictenth: That executive hall that in no case be required too case save time he happend.

cery us shall not be suspended unless when in case of recentive or it was not the public as afety may require it.

Sixteenth: That excensive ball shall in ne case be required nor care save fines be imposed.

Seconteenth: That ne car poet facto law impairing the obligation of contracts shall ever be made.

Eighteenth: That perpetuities and monopolies are contrary to the genine of a Reguiblic, and shall not be alleewed, nor shall any hereditary emoluments, privileges or homors ever be granted or conferred in this finise.

Sincteenth: That the citizens have a right in a peaceshle manier to assemble together for their common good, to instruct their representatives, and apply to those invested with the power of government, for redress of givenances or other proper purposes, by address or remonstrance.

Twentieth: That the citizens shall have a right to keep and hear arms for their common defende.

Twentieth: That the citizens shall have a right to keep and hear arms for their common defende.

Twentieth: That the citizens shall in time of peace be quarrested in any house without the connect of the cowner, nor in time of war but in a manney prescribed by law.

Tocenty second: The infiltary shall be kept in strict subordimation to the civil power.

Twentiether this enumeration of rights shall not be construed to do nor discourage others retained by the people; and to goard against any encreachments on the rights herein retained or any transgravion of any of the higher nowers nearly delegated, we declare that severything in this article is excepted out of the general powers of a serement, and shall forever remain involute; and that all laws contrary thereto, or to the other powersions herein retained, shall be rold.

Twenty-farth: Free negrees shall not be promitted to inte in this State moder any conventance.

ELECTIONS AND ELECTICES and hall be rold.

Twenty-farth: Free negrees shall not be promitted to the sate at the time that this Constitution shall not be existed to vote as all elections; and any elector and be en

shall be elected.

Sec 2 All voting shall be by belied.

Sec 3 Electers during their attendance at elections, and going to, and returning therefrom, shall be privileged from arrest in all cases, except treason, felony, and breach of the

Sec. 3. Electers during therefrom, shall be privileged from arrest in all cases, except treason, felony, and breach of the pace.

Sec. 4. No elector shall be obliged to do militia duty on the days of election except in time of war or public danger.

Sec. 5. No elector shall be defined to do militia duty on the days of election except in time of war or public danger.

Sec. 5. No elector shall be deemed to have lost in recidence in this State by reason of his absence on buildness of the United States or of this State.

Sec. 6. No person employed in the military, naval or marine service of the United states, shall, by being stationed in any recident of the State.

Sec. 7. No idict or messee person, or any Indian not recomized as a citizen by the laws of the United States, shall be entitled to vote at any election.

Sec. 8. No person shall be elected, or appointed to any office in this State civil or military, who is not a citizen of the United States, and who shall not have resided in the State one year next before such election or appointment.

Sec. 9. The Legislature shall have the power to exclude from the privilege of voting or being eligible to office any person societied of bribery, perjury, or other histonic crime.

Sec. 10. The first general election shall be lad on the first Monday of Angust. 1505, god all other elections thereafter on the first Monday in May assuming, except election for Governor, Secretary of State, Auditor of Public Accounts, and Attornay-General of the Biote, which shall be held bisantally on the last day afterested until otherwise provided by law.

SECTION 1. The judicial powers of the State shall be vested in one Supreme Court, clientic Courts, Courts of Provate, and Justices of the Pesse, and such other inferior Courts as the Legislature may from time to time ordain and establish.

Sec. 2. The Supreme Court, clientic Courts of Provate, and Justices of the Pesse, and such other inferior Courts as the Legislature may from these to time ordain and establish.

Sec. 2. The Supreme Court

other remedial and original write as may be necessary to give it several superhits neces and control of infector jurisdictium.

But 3. There shall be held animally, at the seat of Government, two sessions of the Superme Court, at such times as the Legislature may direct.

But 4. The Superme Court shall consist of one Chief Justice and two Associate Justices, any two of whom shall constitute a quarum to do business.

Into 5. The Superme Court may elect a Clerk and Reporter, who shall respectively receive such companisation as the Legisrature may prescribe.

Suc. 6. The State shall be divided into convenient ofrcuits, and for each circuit there shall be diected a Judge, who shall, at the time of his elec low, and as long as he continues in office, reside in the circuit for which he has been clotted.

Suc. 7. The Circuit Court shall have original jurisdiction of all matters, civil and criminal, within this State, not otherwise excepts d in this Constitution; but In civil cases only when matters in controversy shall exceed the sum of one hundred collairs.

But, 8. A Circuit Court shall be held in each county or district at least twice in each year, at such time and places as may be prescribed by law, and the Judges of the several Circuit Courts may held Courts for each other when they may deem it advisable, and shall do so when directed by law.

Suc. 8. The Legislature may establish Courts of Chancery with original and appellate equity jurisdiction, and until the establishment of such court of the several Circuit Courts shall be vested in the Judges of the circuit Courts, and investment of Such and court of courts the each introduction shall be vested in the Judges of the circuit Courts.

Suc. 10. The Legislature shall establish within each county in the state a Court of Piotate for the granting of letters testly metary of administration and orohan's business, and the seneral superintendence of the acternate Courts of Betters testly metary of administration and orohan's business, and have power to use with or ginne

years.
SEC. 16. Clerks of Circuit Courts and Probate Court to be

counties

\$E.C. 18. Regulates the style of the process.

\$E.C. 19. Provides for the election of an Attorney-General, to hold office for four years.

\$E.C. 10. Vacancies is the offices of Attorney-General, District Attorney, Clerk of the Orient Court, Court of Probate, and Justice of the Pusce, field as provided by law.

\$E.C. 21. Mouse of Representatives to have sole power of increachment.

and Justice of the Peerson and the Section of the peerlanent.

SEC. 22 Imprachments to be tried by the Senate; a vote of two thirds required to convict.

SEC. 23 Provides for imprachment of the Governor and all civic officers for misdenovanor; a judgment is a disqualisation for the holding any further office in the State.

SEC. 1 The militie of the State shall consist of all the able-bodied male citizens of the State, between the ages of 15 and 45 years, except such citizens as now are or hereafter may be exampted by the laws of the United States or of this State.

SEC. 2 Any citizen winese religious tenets conflict with bearing arms, shall not be compelled to do militia duty in time of peace, but shall put be compelled to do militia duty in time of peace, but shall pay such an equivalent for personal services as may be prescribed by law.

SEC. 3. All militia officers shall be elected by persons subject to militia duty withh the bounds of their several companies, bettafloor, regiments, brigades and divisions, under once made and regulations as the Legislature may from time to time direct and establish.

EDUCATION—ARTICLE I.

and regulations at the Legislature and process and establish.

SECTION I. A general diffusion of knowledge being essential to the preservation of the rights and liberties of the people, schools and means of education shall be forever encouraged by the State.

SEC. 2. The Legislature shall take measures to preserve from waste or damage such lands as have been or hereafter may be granted by the United States (or lands or funds which may be received from other sources) for the use of solveds which may be state, and shall apply the funds which may arise from such lands, or from any other source, in strict conformaty to the object of this grant.

State, and shall apply the funds which may arise from such lands, or from any other source, in strict conformally to the object of this grant.

Sec 3. That the Legislature shall as soon as practicable, ontablish one common school (or more) in each township of the State, where the children of the township shall be taught graits.

Sec 3. The Legislature shall have power to make appropriations from the State. Treasury for the support and maintenance of common schools, whenever the fund accruing from the lands densired by the United States, or funds received from other searces, are insufficient for that purpose.

Sec 7. The Legislature shall have power to pass laws for the government of all common schools within the State.

Section 1. The right of property is before and higher than any constitutional sanction, and the right of the owner of as ave to such alava and its increase to the same, and as in skolakie, as the right of the owner of any property windstever.

Section 2. The Legislature stall have no power to pass laws for the emencipation of alavas without the consent of their owners, as the right of the owner of any property windstever.

Fig. 2. The Legislature stall have no power to pass laws for the emencipation of alavas without the consent of their owners, afull equivalent in meney for the lawas so emancipation, a full equivalent in meney for the lawas or emancipation, a full equivalent in meney for the lawas or emancipation, a full equivalent in meney for the lawas or emancipation, a full equivalent have no power to prevent emigrants to the biate from bringing with them such persons as are deemed alaves by the laws of any one of the United States or Territries as long as any person of the same age or description shall be continued by the laws of the fates, provided, that such persons of alavas the house of the continued by the laws of the full them with have power to obligate the owners of alavas to treat them with homanity—to object or refusal to comp y with the direction of such isave to emancipate them

where Bac In the procession of slaves for crimes of higher grade has petit larceny, the Legislature shall have no power to destruct them of an impartial trial by a petit jury.

Sec 4 Any person whe shall demember or degrive a slave of the shall suffer such punishment as would be inflicted in case the like effects and on the shall continue to the consultated on a free worth person, and on the like proof, except in case of incurrectors of such sense.

LECOMPTON, K. T., Nov. 5, 1867.

A commercial crisis has just swept over the business world. We stand upon the threshold of a pelitical crists for Kansas. On the very beels of an election, in which they and their allies were routed, the minions of Slavery gird up their loins for the great final struggle. Undismayed by the past, shrinking from none of the fearful responsibility they assume, a schome of the boldest and ment maem spu'sue alaranter stande fully unfoided

to the civilised world. It amounts to this: " Hoads, "I win; taile, yeu lose." Nathing is hazarded. The perpie are mecked and insulted, where they The people are mecked and insulted, where they thought they had a peaceable triumpa. The reins of power they had legitimately taken are rudely seized from their grasp. The offepting of the Territorial Legislature, while hardly out of the awaddling cattee of its pelitical birth, turns round like a hungry ogre to devour its parent. Its birth is not to be a long-deferred contingency, waiting like a dutiful supplies at the action of Congress; but a bold, defi at power, which recognizes no authority outside of itself power, which recognizes no authority outside of itself to limit or deny its existence. With measured step, it defines its powers and character. It tells the world, not what it would be, but what it is. It claims the right to exist as a Government independ ent of the action of the people, in defiance of their expression of their wishes through the ballot-box. clares in plain terms that henceforth the Terri torial Legislature is null and void-that it is dead. It legalizes all the past acts of the so-called Territorial Legislature— the bogus Legislature. By that means, it establishes Slavery by the Constitution, for there laws in any contingency are part of the Gov-ernment. It provides that the Federal Governor, and other Federal officers, are to cease to be what they are after the 21st of December next, or after this mockery of a sucmission, in which the people are to be allowed to decide that certain provisions preventing the action of subsequent Legislatures shall not be a part of this Constitution. But there is not one provision of this Constitution that prevents or excludes Slavery or the introduction of Slavery. It was established by Territorial law. The past Territorial law is formally included in the Constitution. The bill of rights has no provision such as that "There shall be no slavery or involuntary "servitude in this State but for crimes." All the rights are guaranteed to "freemen" and to "freemen" alone. The read white the state of men" alone. The word white does not even distinguish who are freemen-the word "man" even is not in it. We have, then, in any event a Slave State. The Slavery in the State cannot be abolished by the Legislature. The laws that create this Slav-ery are part of the Constitution, and that instrument can only be smended after the lapse of many years by a two-thirds vote, first of the Legislature

and then of the people.

But it is in the regency thus created that the bold-cat and most startling features of the plot are revealed. It holds all the powers of Government. The whole functions of the Territorial Administration are to cesse—not in the contingency of the admission of the State by Congress, but at a certain time the authority of the Federal officers expires by limitation. The regent, created by this Convention, does not even wait until the 21st of December to assume the functions of Chicf Executive. Before that time, he establishes voting precedency, he appoints judges of election, he prepares the machinery of election, and is to sit in judgment on its fruits. Indeed, after this Constitution receives the signatures of the dele-

gates, the Pro-Slavery minions may prepare to throw up their hats and cry, "Long live King John!" But more than this, not only Territorial law-mak-ers, but Territorial law ceases to exist. The lawmaking power is declared to be "null and void" by this ungrateful parricide of a Convention, and all this argratem parricide of a Convention, and an the past acts are destroyed as Territerial laws, and incorporated as part of this Constitution. Even the "militia" power is thus incorporated, and the judi-cial authority. All the elements of substantial au-thority are retained; but these are placed secondary to this Constitution—to this State Government—to this Constitution—to this State Government—to this Regent. He thus holds both nominal and substantial powers.

Now, is all this rebellion? We have heard a good

deal about "rebellion" during the past two years, the rebellion of the "Topeka Government," that quietly awaited the action of Congress. Here we have a high-handed usurpation of power. Here we have the creation of an office and an authority not known to the Constitution of the United States. More -this authority does not ewe any part of its power to the People. More—it is the bastard off-pring of to the Peeple. More—it is the bastard offspring of a Convention, the creature of a "miserable minor-ty." Still more—it proposes deliberately to depose the regularly-constituted authorities of the Territory, appointed by the Federal Government. By its act, it now assumes to wrest from the People the right to make laws by the Territorial Legislature.

There are no common usurpations—are they re-bellien? On the question of Squatter Sovereignty, Congress has siready turned a summerset. Will they turn one on "Rebellion?" Let the powers that be contemplate this. It is no joke. It is a serious game, at which the fortunes of our Republic and the weal or wee of our people are the stake. I state the case thus in the eye of certain facts. What keeps this Convention here? Where is their power? A United States army is around Lecompton. Major Sherman's battery, the most formidable in the United States army, is here, and these usurpers concoct their schemes of rebellion under cover of its guns.

Is the power of the army to sustain this regency If not, at what stage of the usurpation is its patronage to cease? The People of the Territory want to sec. 17. The Chief Justice and Associate Justices of the Sapreme Court ex efficie shall be conservators of the peace throughout the State; Circuit Judges in their respective carecults; and the Judges of the inferior courts in their respective carecults; and the Judges of the inferior courts in their respective counties. maintain the Government they have thus boldly created without such an army. In the invasion of March, 1855, Missouri robbed Kansas of her political rights. In this act of these usurpers the people are again robbed. After a toilsome effort to seize the fruit—their political birthright—it has turned to the contract of aches on their lipe; that is, if this act of the Conrention is to be tolerated.

I have said that a "crisis" is upon the people of

Kapens. Their enemies are in carnest. There is no peaceable, constitutional way of escaping. Does any one feel like asking: Shall the people of the Territory vote on the 21st December? I will say that in contemplation of a possible submission, eve in a way designed to secure a fraudulent result, the people would have voted; but how can they vote at this election? There is nothing to vote for. There is nothing on earth to gain, and their participation is to be construed into some kind of an assent to the is to be construed into some kind of an assent to the Constitution, even though the Constitution be not submitted. At the State election, when it occurs, numerous difficulties are in the way. In the first place, all the management of the election and the returns are in the hands of these men. In the second place, no length of residence is required; and in the third, a vote by ballot is to be taken, in the certified returns from which there requires to be nething but a list of names and a tally of ballots. Only a Governor and Lieutepant-Governor are to be elected; all the other State Officers are tol be appointed.

These magnates of Lecompton determine that

there shall be to earthly avenue of escape from their Constitution. That Constitution becomes a their Constitution. That Constitution becomes a fact the moment they sign it; that is, if any part of it is a legal fact. How are the people of Kansas to meet thus? Is there a peaceful way of escape, or are we to have war? While I write, I can see a long double file of dragoons wending their way to Kaw River, to water their horses. They are the protectors of his vilainous Convention of "rebellious" usurpers. Will they be the guardians of the Regency? Must the people fight them in the struggle for their rights? If they must, let me ask the west conservative man in the country of them the most conservative man in the country if they ought not?
Under how many mortifying and discouraging

circumstances did the people of Kaness go into the late election! The country asked them to forego cherished principles, and even to run the hazard of being overcome by fraud, and, for the sake of that country and for the sake of peace, they have done that, and fully and clearly and conclusively tri-umphed. But now, even while their friends are celebrating the victory, all its fruits are stolen, or are pretended to be stolen, by this Convention of usurpers. Is this the work of a few nullifiers here. or were the features of this scheme medded at Washington ! I suspect the latter. I dread the latter, and in that dread is involved all that humanity could oppose against the horrors of civil war. Is it the oligarchy of the whole country with whom the men of Kansas have to struggle? I bear again the bugle-note ring clearly from the camp of United States GOD BE WITH THE RIGHT, for I fear bitter struggle is before us!

GOV. WALKER'S ANSWER TO THE MANDA-MUS OF JUDGE CATO.

To the Hos. B. G. Cato. Judge of the Second Judicial District of the Territory of Kansas.

Sin: The underlygued Robert J. Walker, Governor, and Frederick P. Stanton, Speretary of Kansas Territery, respectfully state:
That they have been served with notice of an order of

rule, dated Oct. 23, 1857, from the Judge aforesaid, requiring them to show cause why a writ of mandamus should not be issued upon the petition of Samuel J. Jones William Ha I Huram Bleesee, J II Dasforth Jobh T. Ector L S. Boling, A. P. Walker, William S. Wells, J C. Thompson, Thomas B. Sykes and W. R. Winsor, claiming to have been elected members of the Legislative Assembly of the Territory of Known the Counties of Johnson and Douglas, in self-from the Counties of Johnson and Johnson a

The undereigned consider it their day in the fact place to protest against the jurisdiction of the mid Judge invoked in this care, and to demar to this pacegoing for the following reasons:

First: Because, by the Constitution

Second for the tolorwing rescussion.

First: Recause, by the Constitution and laws of the United States and of this Territory they are not subject, in the discharge of the duties of their respective offices, to the control, supervision and direction of the said Judge, to east up the votes given to the said Judge, to east up the votes given to the said Judge, to east up the votes given to the said Judge, to east up the votes given to the canadates for the offices aforesaid, which is to be dead the Secretary, in the presence of the Govern. Wheteupon, having ascertained, from the return found by them to be genume, legal and valid under the provisions of law the persons who have recipied in highest number of votes, it is made the duty of the Secretary to give certificates of election accordingly. The official duty thus imposed upon the undersignd involving nined questions of law and fact, require by them the exercise of judgment and discretion bot a ministerial set in any sense whatever.

Therd: Over the exercise of the judgment and involving only of mandams or otherwise, and there in old was untherizing him to direct them in the discharge of their said duties.

Fourth: Because it has been well settled by the Supreme Count of the United States that the State Govern the District of Columbia, has to power to issue a mandamus to a judicial officer, as a regards said court for the District of Columbia, has to power to issue a mandamus to a judicial officer, as a regards said court for the District of Columbia, has to power to issue a mandamus to a judicial officer, and account of the Columbia, has to power to be supervised to the countral of purely ministra acts, involving no controversy as to law of fact, and permitting no exercise of judgment or discretion.

Fifth Because it is well estitled by the Supreme State of the District of Columbia, has power to discrete the water of the power.

Seriel Because it is well estitled by the Supreme State of the power of the Cities of the ponder, the form of the supervision of the

were, before the cate or said persons respecively, for the effices aforesaid, which certificates are now in their possession and beyond the power of the underligase to recall. It is therefore impossible for the underligase to issue certificates to the other parties named in the

to recall. It is therefore impossible for the undersigned to issue certificates to the other parties named in the said rule or order.

**Fleeconth*: Because, while the undersigned causal doubt that the honorable Judge will decline to exercise the jurisdiction claimed in this case, they feel it their duty to say, most respectfully, that they would regard a judgment in this case directing them to issue certificates of election as an usurpation of power, and therefore a nullity, which under their oath of office it would be their duty to disregard.

Yet, with a view to prevent a dangerous conflict between the judicial and executive power, and to easie the Supreme Court of the Territory, or, as a fasil resort, the Supreme Court of the United States, to correct any error of the Judge in this case, if judgment should be rendered against them on this rule or order, they pray an appeal to the Supreme Court of the United States, the correct any error of the Supreme decided by the Supreme Court of the United States that a judgment on a madamus presents a case in which an appeal lies from a inferior to the proper appellate tribunal.

The undersigned beg leave further to state, that, if the said Judge should command them to issue certificates of election as aforesaid, and should deem it his duty to subject them to imprisonment for disobying his order, as they would be compelled to do by their convict on of its usurpation and utter nullity, and because the certificates before the date of said rule conder had already been issued to other persons, such sheir desire to maintain the peace of this Territory, that they will submit individually to such imprisonment; and if any tunnult should be apprehended by said Judge, in consequence of the monstrone fraste which have been perpotrated upon the elective fraches in the recent election, the Governor will direct the regular troops of the United States, now here and subject to his order, to act as a pose constatus in aid. the regular troops of the United States, now here as subject to his order, to act as a porse comitatus in side of the Sheriff or Marshal who may be directed by

Judge to execute said mandate of imprisonment.

R. J. WALKER, Governor of Rames Terri
FRID. P. STARTON, Secretary.

A PROVISIONAL GOVERNMENT FORMED St. Louis, Saturday, Nov. 14, 1857. The Lecompton correspondent of The Republica

says the Kaneas Constitutional Convention adjourned on the 7th inst A Provisional Government, with Gen. Calhoun as Governor, was formed, to go into ogeration immediately.

The Convention passed a reparate clause anactice

and that will be sub-

irg Slavery, which is the only section that will be sub-mitted to the people. It is thought to be the design to get the Constitution accepted by Congress prior to the assembling of the Territorial Legislature.

Gov. Waker has been appealed to to convene as extra section to meet this contingency. The apperand 15 senators.

TURK-DOWN SHIRT COLLARS -- A stand-up coller stands for an Englishman—that is, if we may judge roun the following remark in The London Times—respecting the remains of the Waterleo bridge marder: "The shirt collar was obviously intended to be turned down over the neck-tie, from which circumstance it is reasonably inferred that the deceased person was not a native of this country."

not a native of this country."

Horein Murder,—On Sonday evening last a terrible nurder was committed on board a casal best called the "Eclipse," belonging to Caledonia, while bying at the Locks, about 21 miles below Brantford. The nurderer, whose name is John Nichols, was the captain of the boat, and the victim was a land ramed Edward Burns belonging to another boat, the Western of Brantford, lying alongside of the Edipse. On the murder being made known, B. F. Van Brackin high constable of the county, and several officers, proceeded from Brantford to arrest Nichols, whom they found in bed asleep with a squaw on board his beat. Two Indian wemen had been spending the day with the crews of the two boats. These poor wretches were no doubt one of the indirect causes of the marder, though it does not fully appear in the evidence. The verticat of the Coroner's Jurywas willful murder. [Brantford (Canada) Expositor, Nov. 10.

Lift Sentence For Burglant.—Thomas Graham, convicted at Worcester Mass, for breaking into an tobbing the house of Ethan Allen, of that city, was brought up a few days sicce and sentenced to hard labor in the State Pileon during his natural lift.